

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO.
NO. 05-11825-RWZ

SPRAGUE ENERGY CORP.,
Plaintiff,

v.

CANADA STEAMSHIP LINES, INC.,
In Personam, and M/V ATLANTIC SUPERIOR,
In Rem,
Defendants.

JOINT SCHEDULING STATEMENT

Now come the parties, in the above captioned action, by and through their undersigned counsel, after conferencing pursuant to Local Rule 16.1(B) of the United States District Court, District of Massachusetts, hereby file this proposed Joint Scheduling Statement.

I. DISCOVERY

The parties propose the following discovery plan:

- A. Rule 26(a)(1) Initial Disclosures served by November 8, 2005;
- B. All factual discovery to be completed by May 16, 2006;
- C. Plaintiff's designation of experts and disclosure of expert information and reports pursuant to the Federal Rules of Civil Procedure served on or before June 13, 2006.
- D. Defendant's designation of experts and disclosure of expert information and reports pursuant to the Federal Rules of Civil Procedure served on or before July 18, 2006.

- E. All expert depositions to be completed by September 19, 2006.
- F. Final Pretrial Conference to be scheduled after September 30, 2006.

II. MOTION SCHEDULE

In addition to the above, the parties propose the following motion schedule.

- A. Motions to amend the pleadings, to add parties or to set forth additional claims to be filed on or before February 28, 2006.
- B. Dispositive Motions to be filed by September 30, 2006 with Oppositions filed within fourteen (14) days as set forth in the Local Rules of this Court.

III. CERTIFICATION

The parties report that they have conferred with their clients pursuant to Local Rule 16.1(D)(3) and will independently file their Certificates of Compliance.

IV. TRIAL BY MAGISTRATE JUDGE

The parties do not consent to trial by a Magistrate.

V. SETTLEMENT

The plaintiff has tendered a written settlement demand to the defendants.

WHEREFORE, the parties pray that this Honorable Court approve the above proposed schedule.

Respectfully Submitted,

PLAINTIFF
WADLAND & ACKERMAN

DEFENDANT
CLINTON & MUZYKA, P.C.

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Dated: October 28, 2005